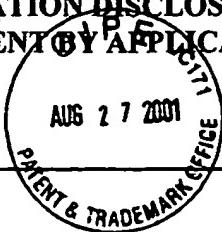


**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
PTO-1449



W&W File No.: 3001 P 016  
Application No.: 09/843,278  
Applicant: Kiron et al.  
Filing Date: April 24, 2001  
Art Unit: 2165

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**Group 2100**

**U.S. PATENT DOCUMENTS**

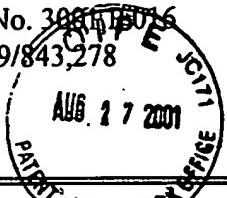
Examiner Initial	U.S. Patent Document No.	Name of Patentee or Applicant	Class/ Subclass	Date of Publication
TJH	4,597,046	Musmanno et al.	364/408	06/24/1986
TJH	4,615,001	Hudgins, Jr.	364/200	09/30/1986
TJH	4,642,768	Roberts	364/408	02/10/1987
TJH	4,876,648	Lloyd	364/408	10/24/1989
TJH	4,914,587	Clouse	364/408	04/03/1990
TJH	4,953,085	Atkins	364/408	08/28/1990
TJH	5,121,495	Nemes	395/600	06/09/1992
TJH	5,132,899	Fox	364/408	06/21/1992
TJH	5,189,608	Lyons et al.	364/408	02/23/1993
TJH	5,193,056	Boes	364/408	03/09/1993
TJH	5,206,803	Vitagliano et al.	364/408	04/27/1993
TJH	5,214,579	Wolfberg et al.	364/408	05/25/1993
TJH	5,557,517	Daugherty, III	364/408	09/17/1996

**FOREIGN PATENT DOCUMENTS**

Examiner Initial	Foreign Patent Document			Name of Patentee or Applicant	Date of Publication	T
	Office	Number	Kind			

**OTHER PRIOR ART OR NON-PATENT LITERATURE DOCUMENTS**

Examiner Initial	(including Author (in capital letters), Title of the article, Title of the item, Date, Pages, Volume-Issue number, Publisher, City and/or Country where published.)	T
TJH	SPIR Trust Series 1, Application for Orders Under Section 6(c) of the Investment Company Act of 1940.	
TJH	SPIR Trust Series 1, First Amended and Restated Application for Orders Under Section 6(c) of the Investment company Act of 1940.	
TJH	Form S-6 (EL24) for registration under the Securities Act of 1933.	



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Examiner Initial	(including Author (in capital letters), Title of the article, Title of the item, Date, Pages, Volume-Issue number, Publisher, City and/or Country where published.)	T
THH	Amendment No. 1 to Form S-6 (EL24A) for registration under the Securities Act of 1933.	
THL	Amendment No. 2 to Form S-6 (EL24C) for registration under the Securities Act of 1933.	
THH	Amendment No. 3 to Form S-6 for registration under the Securities Act of 1933.	
THH	Dialog Abstract: File 256, Acc# 01203769; Macro*World Investors 5.0; Macro World Research Corp; Released: Jan. 1988.	
THL	Hill; "Program Trading of Equities: Renegade or Mainstream?"; <i>Business Horizons</i> ; vol. 32 No. 6; p. 47(9); Nov.-Dec. 1989; Dialog: File 148, Acc# 04165265.	
THL	Dialog Abstract: File 16, Acc# 03222677; Prime Asset Mgmt; <i>Pensions &amp; Investments</i> ; May 20, 1991; p. 69.	
THL	Cohen; "Canada: First Marathon Inc. Make Fund Tracking User-Friendly"; <i>Financial Post (FINPO)</i> ; Sep. 14, 1992; p. 20; Dialog File 772, Acc# 09062758.	
THL	Gitter, "Investing, For the Passive-Aggressive"; <i>Financial Planning</i> ; Feb. 1995; p. 59; Dialog: File 16, Acc# 05639063.	
THL	Dialog Abstract: File 256, Acc# 01561525; Principia for Closed-End Funds 1.0; Morningstar Inc. Released: Jul 1995.	
THL	Schramm; "Index Managers Get Active"; <i>Pensions 7 Investments</i> ; Oct. 16, 1995; p. 3; Dialog: File 16, Acc# 05784105.	
THH	Duff, "Index Funds with a Twist Can Be Market Beaters"; <i>Money</i> ; vol. 24 No. 10; p. 53; Oct. 1995; Dialog: File 15, Acc# 01091136.	

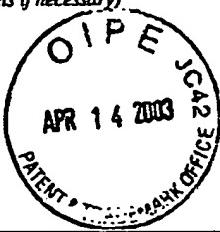
124363.1

Examiner: Thilakan

Date  
Considered: 4/10/06

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

**SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT**  
*(Use several sheets if necessary)*



Docket Number (Optional)  
3001 P 016

Application Number ~  
09/843,278

Applicant(s)

Kiron, et al.

Filing Date

April 24, 2001

Group Art Unit

2165

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APR 16 2003  
GROUP 3600

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

**FOREIGN PATENT DOCUMENTS**

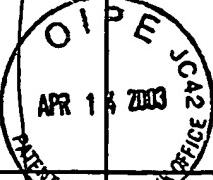
REF	DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO

**OTHER DOCUMENTS** *(Including Author, Title, Date, Pertinent Pages, Etc.)*

*EXAMINER INITIAL	REF	Title of the Item, Date, Pages, Volume/Issue Number, Publisher, City and/or Country Where Published
TJH	001	* Opinion and Order of U.S. District Judge Shira A. Scheindlin, dated February 4, 2003, in American Stock Exchange, LLC vs. Mopex, Inc., 00 Civ 5943 (SAS), granting Plaintiff's Motion for Summary Judgment.
	002	* Application pursuant to Section 6(c) of The Investment Company Act of 1940 for an Order Granting Exemption From the Provisions of Sections 4(2) and 22(c) of the Act, and Rule 22c-1 thereunder, and for an Order Pursuant to Section 11(a) and 11(c) of the Act Approving the Exchange of Shares of an Open-End Management Investment Company for Units of a Unit Investment Trust, by the SuperTrust for Capital Market Fund, Inc. Shares, Capital Market Fund, Inc. and SuperShare Services Corporation (April 3, 1989).
	003	* First Amended and Restated Application pursuant to Section 6(c) of the Investment Company Act of 1940 for an Order Granting Exemption from the Provisions of Sections 4(2), 18(f)(1) and (i), 22(c), Rule 22c-1 and for an Order pursuant to Sections 11(a) and 11(c) of the Act Approving the Exchange of Shares of an Open-End Management Investment Company for Units of a Unit Investment Trust, by the SuperTrust for Capital Market Fund, Inc. Shares, Capital Market Fund, Inc. and SuperShare Services Corporation (September 7, 1989).
	004	* Second Amended and Restated Application pursuant to Section 6(c) of the Investment Company Act of 1940 for an Order Granting Exemption from the Provisions of Sections 4(2), 22(c), Rule 22c-1 thereunder, and 22(d) of the Act and for an Order pursuant to Sections 11(a) and 11(c) of the Act Approving the Exchange of Shares of an Open-End Management Investment Company for Units of a Unit Investment Trust, by the SuperTrust for Capital Market Fund, Inc. Shares, Capital Market Fund, Inc. and SuperShare Services Corporation (February 6, 1990).
	005	* Third Amended and Restated Application pursuant to Section 6(c) of the Investment Company Act of 1940 for an Order Granting Exemption from the Provisions of Sections 4(2), 22(c), Rule 22c-1 thereunder, and 22(d) of the Act, and for an Order pursuant to Sections 11(a) and 11(c) of an Open-End Management Investment Company for Units of a Unit Investment Trust, by the SuperTrust for Capital Market Fund, Inc. Shares, Capital Market Fund, Inc. and SuperShare Services Corporation (April 2 1990).
	006	* Fourth Amended and Restated Application pursuant to Section 6(c) of the Investment Company Act of 1940 for an Order Granting Exemption from the Provisions of Sections 4(2), 22(c), Rule 22c-1 thereunder, and 22(d) of the Act, and for an Order pursuant to Sections 11(a) and 11(c) of the Act Approving the Exchange of Shares of an Open-End Management Investment Company for Units of a Unit Investment Trust, by the SuperTrust for Capital Market Fund, Inc. Shares, Capital Market Fund, Inc. and SuperShare Services Corporation (July 3, 1990).

EXAMINER INITIAL	REF	TYPE of Item, Date, Pages, Volume/Issue Number, Published City and/or Country Where Published
	007	• Fifth Amended and Restated Application pursuant to Section 6(c) of the Investment Company Act of 1940 for an Order Granting Exemption from the Provisions of Sections 4(2), 22(c), Rule 22c-1 thereunder, and 22(d) of the Act, and for an Order pursuant to Sections 11(a) and 11(c) of the Act Approving the Exchange of Shares of an Open-End Management Investment Company for Units of a Unit Investment Trust, by the SuperTrust for Capital Market Fund, Inc. Shares, Capital Market Fund, Inc. and SuperShare Services Corporation (dated July 6, 1990).
	008	• Notice of Application for Exemption under the Investment Company Act of 1940 by the SuperTrust Trust for Capital Market Fund, Inc., Inv. Co. Act Rel. No. IC-17613 (July 25, 1990).
OIP APR 14 2003 PATENT & TRADEMARK OFFICE SCA	009	• Order Denying a Hearing Request, Granting a Conditional Exemption Under Section 6(c) of the Act from Sections 4(2) and 22(d) of the Act and Rule 22c-1 thereunder, and Approving an Offer of Exchange Under Sections 11(a) and 11(c) of the Act, in the Matter of The SuperTrust Trust for Capital Market Fund, Inc. Shares, et al., Inv. Co. Act Rel. No. IC-17809 (October 19, 1990).
	010	• SEC No-Action Letter re The SuperTrust Trust for Capital Market Fund, Inc. Shares (June 24, 1992), including the SuperTrust Trust for Capital Market Fund, Inc. Shares' No-Action Request (March 30, 1992).
	011	• Prospectus, The SuperTrust Trust for Capital Market Fund, Inc., dated March 6, 1992.
	012	• Registration Statement (Form N-IA) under the Investment Company Act of 1940, of Capital Market Fund, Inc. (March 6, 1992).
	013	• Peter Tufano & Barbara B. Kyriolos, <i>Leland O'Brien Rubinstein Associates Incorporated: SuperTrust</i> , Harvard Business School case study 294-050 (June 6, 1994).
	014	• Application for Orders Under section 6(c) of the Investment Company Act of 1940 exempting the SPIR Trust, Series I (and any additional and similar Series of the SPIR Trust), and SPIR Services Corporation, as Sponsor, from the Provisions of sections 4(2), 12(d)(3), 14(a), 22(c), 22(d) and 26(a)(2)(C) of said Act and from rules 12d3-1 and 22c-1 promulgated thereunder (June 26, 1990).
	015	• First Amended and Restated Application for Orders Under section 6(c) of the Investment Company Act of 1940 exempting the SPIR Trust, Series I (and any additional and similar Series of the SPIR Trust), and SPIR Services Corporation, as Sponsor, from the Provisions of sections 4(2), 14(a), 22(d) and 26(a)(2)(C) of said Act and from rule 22c-1 promulgated thereunder (February 6, 1991).
	016	• Second Amended and Restated Application for Orders Under section 6(c) of the Investment Company Act of 1940 exempting the SPDR Trust, Series I and PDR Services Corporation, as Sponsor, from the Provisions of sections 4(2), 14(a), 17(d), 22(d), 22(e), 24(d) and 26(a)(2)(C) of said Act and from rule 22c-1 promulgated thereunder and under section 17(b) exempting the Trust from the provisions of sections 17(a)(1) and 17(a)(2) of said Act (February 28, 1992).
	017	• Third Amended and Restated Application for Orders Under section 6(c) of the Investment Company Act of 1940 exempting the SPDR Trust, Series I (and any additional and similar Series of the SPDR Trust), and PDR Services Corporation, as Sponsor, from the Provisions of sections 4(2), 14(a), 17(a)(1) and 17(a)(2), 22(d), 22(e), 24(d) and 26(a)(2)(C) of said Act and from rule 22c-1 promulgated thereunder and under section 17(b) exempting the Trust from the provisions of sections 17(a)(1) and 17(a)(2) of said Act and under rule 17d-1 from the provisions of section 17(d) (June 8, 1992).
	018	• Fourth Amended and Restated Application for Orders Under section 6(c) of the Investment Company Act of 1940 exempting the SPDR Trust, Series I (and any additional and similar Series of the SPDR Trust), and PDR Services Corporation, as Sponsor, from the Provisions of sections 4(2), 14(a), 17(a)(1), 17(a)(2), 22(d), 22(e), 24(d) and 26(a)(2)(C) of said Act and from rule 22c-1 promulgated thereunder, under section 17(a)(1) and 17(a)(2) of said Act and under rule 17d-1 granting relief from the provisions of section 17(d) (August 7, 1992).
	019	• Notice of Filing of Proposed Rule Change by the American Stock Exchange, Inc. Relating to Portfolio Depositary Receipts, Exchange Act Release No. 34-31039 (August 20, 1992).
	020	• Order Approving Proposed Rule Change by the American Stock Exchange, Inc. Relating to Portfolio Depositary Receipts, Exchange Act Release No. 34-31591 (December 11, 1992).
	021	• Notice of Application for Order under the Investment Company Act of 1940, by the SPDR Trust, Series I, Rel. No. IC-18959 (September 23, 1992).
	022	• In re The Matter of SPDR Trust, Series I PDR Services Corporation, Conditional Order under Sections 6(c) and 17(b) of the Act Exempting Applicants From Sections 4(2), 14(a), 17(a), 22(d), 22(e), 24(d), 26(a)(2)(C), and Rule 22c-1, and under Rule 17d-1 Permitting Applicants to Engage in Certain Affiliated Transactions Otherwise Prohibited by Section 17(d) and Rule 17d-1 (October 26, 1992).

EXAMINER INITIAL	REF	TYPE of the Item, Date, Pages, Volume/Issue Number, Published City and/or Country Where Published
KH	023	• Prospectus, Standard & Poor's Depositary Receipts, SPDR Trust Series 1, dated January 22, 1993 (February 3, 1993).
	024	• Prospectus, Standard & Poor's Depositary Receipts, SPDR Trust Series 1, dated May 20, 1994.
	025	• Nils H. Hakansson, <i>The Purchasing Power Fund: A New Kind of Financial Intermediary</i> , FIN. ANALYSTS J. 45 (No. 4, Dec. 1976).
	026	• Nils H. Hakansson, <i>Welfare Aspects of Options and Supershares</i> , XXXIII No. 3 J. OF FIN. 759 (June 1978).
	027	• Prospectus, Put and Call Options and Index Participations, by The Options Clearing Corporation, dated April 31, 1989.
O I P E APR 14 2003 PATENT & TRADEMARK OFFICE U.S. DEPARTMENT OF COMMERCE	028	• Application for Orders under Section 6(c) of the Investment Company Act of 1940 exempting The Germany EuroTrust Trust, Series 1 of The EuroTrust Trusts, EuroFund, Inc., Deutsche Bank Securities Corporation, as Adviser, and SuperShare Services Corporation, as Sponsor, from the provisions of Sections 4(2), 17(a)(1), 17(a)(2), 22(d), 24(d) and 26(a)(2)(C) of said Act and from Rule 22c-1 promulgated thereunder, under Section 17(b) exempting the Trust, the Fund, the Adviser and the Sponsor from the provisions of Sections 17(a)(1) and 17(a)(2) of the Act and for an Order pursuant to Sections 11(a) and 11(c) of the Act approving the exchange of shares of the initial series of the Fund for units of The Germany EuroTrust Trust, by The Germany EuroTrust Trust, Series 1 of the EuroTrust Trusts, EuroFund, Inc., Deutsche Bank Securities Corporation, as Adviser, and SuperShare Services Corporation, as Sponsor (August 19, 1994).
	029	• Foreign Fund, Inc., Application for Orders under section 6(c) of the Investment Company Act of 1940 exempting applicant from the provisions of sections 2(a)(32), 5(a)(1), 17(a)(1) and 17(a)(2), 22(d) and 22(e), and rule 22c-1 thereunder, and under section 17(b) exempting applicant from sections 17(a)(1) and 17(a)(2) of such Act (September 19, 1994).
	030	• Application for Orders under Section 6(c) of the Investment Company Act of 1940 exempting Foreign Fund, Inc. from the provisions of Section 2(a)(32), 5(a)(1), 17(a)(1) and 17(a)(2), 22(d) and 22(e) of said Act, and Rule 22c-1 promulgated thereunder, and under Section 17(b) exempting Foreign Fund, Inc. from the provisions of Sections 17(a)(1) and 17(a)(2) of said Act (September 19, 1994).
	031	• Amendment No. 1 to the Application for Orders under Section 6(c) of the Investment Company Act of 1940 exempting Foreign Fund, Inc. from the provisions of Section 2(a)(32), 5(a)(1), 17(a)(1) and 17(a)(2), 22(d) and 22(e) of said Act, and Rule 22c-1 promulgated thereunder, and under Section 17(b) exempting Foreign Fund, Inc. from the provisions of Sections 17(a)(1) and 17(a)(2) of said Act (January 5, 1995).
	032	• Barclays Global Fund Advisors and BGI Exchange Traded Fund and its Index Series - Application for an Order under Section 6(c) of the Investment Company Act of 1940 for an exemption from Sections 2(a)(32), 5(a)(1), and 22(d) and 22(e) of the Act and Rule 22c-1 under the Act and under Sections 6(c) and 17(b) of the Act for an exemption from Sections 17(a)(1) and (a)(2) of the Act (as filed with the SEC on April 30, 1999).
	033	• Barclays Global Fund Advisors and BGI Exchange Traded Fund and its Index Series - Application for an Order under Section 6(c) of the Investment Company Act of 1940 for an exemption from Sections 2(a)(32), 5(a)(1), and 22(d) and 24(d) of the Act and Rule 22c-1 under the Act and under Sections 6(c) and 17(b) of the Act for an exemption from Sections 17(a)(1) and (a)(2) of the Act (as filed with the SEC on April 30, 1999).
	034	• In the matter of Foreign Fund, Inc. and BZW Barclays Global Fund Advisors, File No. 812-10334; Application for an Order of Exemption under Section 17(d) of the Investment Company Act of 1940 (the "1940Act") and Rule 17d-1(a) thereunder pursuant to Rule 17d-1(b) under the 1940 Act (as received by the SEC on September 13, 1996).
	035	• In the matter of Web Index Fund, Inc. and Barclays Global Fund Advisors, File No. 812-10334; Amendment No. 2 to the Application for an Order of Exemption under Section 17(d) of the Investment Company Act of 1940 (the "1940 Act") and Rule 17d-1(a) thereunder pursuant to Rule 17d-1(b) under the 1940 Act (March 10, 1997).
	036	• Amendment No. 4 to the Application for Orders under Section 6(c) of the Investment Company Act of 1940 exempting Foreign Fund, Inc. from the provisions of Sections 2(a)(32), 5(a)(1), 17(a)(1) and 17(a)(2), 22(d) and 22(e) of said Act, and Rule 22c-1 promulgated thereunder, and under Section 17(b) exempting Foreign Fund, Inc. from the provisions of Sections 17(a)(1) and 17(a)(2) of said Act (as received by the SEC on February 20, 1996).
	037	• Gastineau, Gary L., <i>"An Introduction to Exchange-Traded Funds (ETFs)</i> , Nuveen Investments; February 8, 2001, pp. 1-12.
	038	• Application for Orders under Section 6(c) of the Investment Company Act of 1940, as amended, exempting WEBS Index Fund, Inc. from the provisions of Sections 2(a)(32), 5(a)(1), 17(a)(1) and 17(a)(2), 22(d) and 22(e) of said Act, and Rule 22c-1 promulgated thereunder, and under Section 17(b) exempting WEBS Index Fund, Inc. from the provisions of Sections 17(a)(1) and 17(a)(2) of said Act (as received by the SEC on August 14, 1997).

EXAMINER INITIAL	REF	TYPE the Item, Date, Pages, Volume/Issue Number, Published City and/or Country Where Published
TH	039	<ul style="list-style-type: none"> <li>• Application for Orders under Section 6(c) of the Investment Company Act of 1940 exempting The Germany EuroTrust Trust, Series 1 of The EuroTrust Trusts, EuroFund, Inc., Deutsche Bank Securities Corporation, as Adviser, and SuperShare Services Corporation, as Sponsor, from the provisions of Sections 4(2), 17(a)(1), 17(a)(2), 22(d), 24(d) and 26(a)(2)(C) of said Act and from Rule 22c-1 promulgated thereunder, under Section 17(b) exempting the Fund, the Adviser and the Sponsor from the provisions of Sections 17(a)(1) and 17(a)(2) of the Act and for an Order pursuant to Sections 11(a) and 11(c) of the Act approving the exchange of shares of the initial series of the Fund for units of The Germany EuroTrust Trust (as received by the SEC on August 19, 1994).</li> </ul>
	040	<ul style="list-style-type: none"> <li>• First Amended and Restated Application for Orders under Section 6(c) of the Investment Company Act of 1940 exempting The EuroTrust Trust, its initial two Series, The Germany EuroTrust Trust and The UK EuroTrust Trust, EuroFund, Inc., Deutsche Bank Securities Corporation, as Adviser, and SuperShare Services Corporation, as Sponsor, from the provisions of Sections 4(2), 17(a)(1), 17(a)(2), 22(d) and 26(a)(2)(C) of said Act and from Rule 22c-1 promulgated thereunder, under Section 17(b) exempting the Trusts, the Fund, the Adviser and the Sponsor from the provisions of Sections 17(a)(1) and 17(a)(2) of the Act and for an Order pursuant to Sections 11(a) and 11(c) of the Act approving the exchange of shares of the series of the Fund for units of the Trusts (as received by the SEC on October 28, 1994).</li> </ul>
	041	<ul style="list-style-type: none"> <li>• Second Amended and Restated Application for Orders (i) under Section 6(c) of the Investment Company Act of 1940 exempting, as the case may be, The EuroTrust Trust, its initial two trusts, The Germany EuroTrust Trust and The UK EuroTrust Trust, EuroFund, Inc. and its initial two Series, the German Index Series and the UK Index Series; Deutsche Bank Securities Corporation, as Adviser, and SuperShare Services Corporation, as Sponsor, from the provisions of Sections 2(a)(32), 4(2), 5(a)(1), 17(a)(1), 17(a)(2), 22(d), 22(e) and 26(a)(2)(C) of said Act and from Rule 22c-1 promulgated thereunder; (ii) pursuant to Sections 11(a) and 11(c) of the Act approving the exchange of shares of the Fund for units of the Trusts; and (iii) under Section 17(b) exempting the Trusts, the Fund, the Adviser and the Sponsor from the provisions of Sections 17(a)(1) and 17(a)(2) of the Act and (as received by the SEC on November 30, 1994).</li> </ul>
	042	<ul style="list-style-type: none"> <li>• SEC Form N-1A, Registration Statement Under the Securities Act of 1933, Pre-Effective Amendment No. 1, and Registration Statement under the Investment Company Act of 1940, Amendment No. 1, of Foreign Fund, Inc. (as filed with the SEC on December 14, 1995).</li> </ul>
	043	<ul style="list-style-type: none"> <li>• SEC Form N-1A, Registration Statement Under the Securities Act of 1933, Pre-Effective Amendment No. 1, and Registration Statement under the Investment Company Act of 1940, Amendment No. 1, of Foreign Fund, Inc. (as filed with the SEC on December 14, 1995) (Marked to Show Changes).</li> </ul>
	044	<ul style="list-style-type: none"> <li>• SEC Form N-1A, Registration Statement Under the Securities Act of 1933, Pre-Effective Amendment No. 3, and Registration Statement under the Investment Company Act of 1940, Amendment No. 3, of Foreign Fund, Inc. (as filed with the SEC on March 6, 1996).</li> </ul>
	045	<ul style="list-style-type: none"> <li>• American Stock Exchange, Stock Index Options, Proposed Contract Specifications, S&amp;P MidCap Index Options, December 2, 1991.</li> </ul>
	046	<ul style="list-style-type: none"> <li>• Standard &amp; Poor's Depositary Receipts™, SPDR™ User's Guide, PDR Services Corporation, January, 1993.</li> </ul>
	047	<ul style="list-style-type: none"> <li>• Amendment No. 1 to the Application for Orders under Section 6(c) of the Investment Company Act of 1940 exempting the MidCap SPDR Trust, Series 1 and PDR Services Corporation, as Sponsor, from the provisions of Sections 4(2), 14(a), 17(a)(1), 17(a)(2), 22(d), 22(e), 24(d) and 26(a)(2)(C) of said Act and from Rule 22c-1 promulgated thereunder, under Section 17(b) exempting the Sponsor and the Trust from the provisions of Sections 17(a)(1) and 17(a)(2) of said Act and under Rule 17d-1 granting relief from the provisions of Section 17(d) and Rule 17d-1 (executed July 13, 1994).</li> </ul>
	048	<ul style="list-style-type: none"> <li>• American Stock Exchange, Stock Index Options, Contract Specification, S&amp;P MidCap Index Options, January 23, 1992.</li> </ul>
	049	<ul style="list-style-type: none"> <li>• Information Circular to Members and Member Organizations, Senior and Compliance Registered Options Principals, and Registered Options Principals from Howard A. Baker, Senior Vice President, AMEX Derivative Securities, announcing a new listing: Standard &amp; Poor's MidCap 400 Depositary Receipts™ with trading to begin on May 4, 1995. Dated: April 28, 1995.</li> </ul>
	050	<ul style="list-style-type: none"> <li>• Standard &amp; Poor's Depositary Receipts ("SPDR") Trust Series 1 and Any Subsequent and Similar Series of the SPDR Trust, Standard Terms and Conditions of Trust, dated as of January 1, 1993 between PDR Services Corporation, as Sponsor, and State Street Bank and Trust Company, as Trustee, effective January 22, 1993.</li> </ul>
	051	<ul style="list-style-type: none"> <li>• Prospectus: Toronto 35 Index Participation Units dated November 20, 1989.</li> </ul>
	052	<ul style="list-style-type: none"> <li>• Gastineau, Gary, "Exchange-Traded vs. OTC Derivatives Markets," <u>Financial Derivatives and Risk Management</u>, Issue Three, November, 1995.</li> </ul>

EXAMINER INITIAL	REF	TYPE the Item, Date, Pages, Volume/Issue Number, Publisher, City and/or Country Where Published
711	053	• Section 7, Special Article: "Minimizing Cash Drag With S&P 500 Index Tools" by Goldman Sachs.
	054	• Standard & Poor's Depositary Receipts, "SPDR User's Guide," PDR Services Corporation, 1993.
	055	• <u>The Future of Exchange Traded Funds, An Emerging Alternative to Mutual Funds</u> , Financial Research Corporation, May 31, 2000.
IP APR 14 2003	056	• Gastineau, Gary L., "A Short History of Program Trading," <u>Financial Analysts Journal</u> , September/October, 1994, pp. 47-57.
	057	• Angel, James J., et al, "Comparison of Two Low-Cost S&P 500 Index Funds," reprinted from <u>Derivatives Quarterly</u> , Spring, 1996.
	058	• Gastineau, Gary L., et al., "Exchange-Traded Equity Funds--Genesis, Growth, and Outlook, pp. 121-141.
	059	• Product Description for Standard & Poor's Depositary Receipts--SPDRs®, pp. 1-4.
PATENT	060	• Standard & Poor's Depositary Receipts, "SPDR™ Traded on the American Stock Exchange, Ticker Symbol SPY," PDR Services Corporation, 1993, and "The SPDR™ Report," August, 1994.
	061	• "Main Marketing Message About SPDRs," Educational Material.
	062	• Standard & Poor's Depositary Receipts, Specifications, Symbol: SPY, American Stock Exchange, May 16, 1994.
	063	• Standard and Poor's Depositary Receipts™ ("SPDRs")™, SPDR Trust Series 1, A Unit Investment Trust, Annual Report, December 31, 1994.
	064	• Standard and Poor's Depositary Receipts™ ("SPDRs")™, SPDR Trust Series 1, A Unit Investment Trust, Annual Report, December 31, 1995.
	065	• Telefacsimile Transmission from James Curtis, Division of Investment Management, U.S. Securities and Exchange Commission, to Paul J. McElroy, Sullivan & Cromwell, forwarding the Notice of Application for Exemption Under the Investment Company Act of 1940, of Foreign Fund, Inc., BZW Barclays Global Fund Advisors and Funds Distributor, Inc., dated February 7, 1996.
	066	• Order of the U.S. Securities and Exchange Commission, dated March 5, 1996, granting the application for exemption under the Investment Company Act of 1940 of Foreign Fund, Inc., BZW Barclays Global Fund Advisors and Funds Distributor, Inc.
	067	• Letter dated October 17, 1995, from Kevin C. Rupert, Accountant, U.S. Securities and Exchange Commission, to Paul J. McElroy, Sullivan & Cromwell, regarding Foreign Fund, Inc., and containing comments on the registration statement on Form N-1A filed on behalf of Foreign Fund, Inc.
	068	• Letter dated December 14, 1995, from Paul J. McElroy, Sullivan & Cromwell, to Kevin C. Rupert, Accountant, U.S. Securities and Exchange Commission, regarding comments made by K. Rupert in his letter of October 17, 1995, and regarding the filing of a Pre-Effective Amendment No. 1 to the Fund's Registration Statement on Form N-1A.
	069	• Form N-1A, Pre-Effective Amendment No. 3, filed by Foreign Fund, Inc. on March 5, 1996, with the U.S. Securities and Exchange Commission.
	070	• Exhibits to Form S-6, Pre-Effective Amendment No. 3 to Registration Statement of The Supertrust Trust for Capital Market Fund, Inc. Shares.
	071	• Brochure: SuperTrust, Subscription Period, 1992.
	072	• "Introduction to The SuperTrust," SSC Distribution Services, Inc., 1991.
	073	• "The SuperTrust Summary Graphics," SSC Distribution Services, Inc., 1991.
	074	• Form N-1A, Post-Effective Amendment No. 3 and Registration Statement Under the Investment Company Act of 1940, Amendment No. 7, of Capital Market Fund, Inc., as filed with the SEC on March 1, 1993.
	075	• <u>IDD (Investment Dealers Digest)</u> , November 30, 1992, pp. 1-50.
✓	076	• <u>Federal Register, Notices</u> , Vol. 55, No. 114, Wednesday, June 13, 1990, pp. 24016-24018.

EXAMINER INITIAL	REF	Title of the Item, Date, Pages, Volume/Issue Number, Publisher, City and/or Country Where Published
<i>TMK</i>	077	• "Distributor of SuperTrust Shares Seeks No-Action Position," <u>The SEC Today</u> , Wednesday July 1, 1992, Vol. 92-127, pp. 1-2.
	078	• "The SuperTrust Subscription Period," <u>SSC Distribution Services, Inc.</u> , June, 1992, pp. 1-8.
	079	• Brochure for MidCap SPDRs—Standard & Poor's MidCap 400 Depositary Receipts.
	080	• Advertisement for MidCap SPDR, Standard & Poor's MidCap 400 Depositary Receipts.
	081	• American Stock Exchange News Release, April 21, 1995, "Joel Lovett Elected to Sixth Year as Vice Chairman of AMEX's Board of Governors".
<i>APR 14 2003</i> <i>SC42</i> <i>PATENT</i>	082	• Newspaper Articles: Kristof, Kathy M., "Add 'Spiders' to Growing Web of Investment," <u>Los Angeles Times</u> , August 25, 1995; Metz, Robert, "Spinning Profits Using SPDRs," <u>Houston Chronicle</u> , August 2, 1995; Metz, Robert, "Snare Profits in Your Web With SPDRs," <u>Tulsa World</u> , August 6, 1995.
	083	• SEC Docket, Volume 58, No. 10, pp. 1707-1708 (January 18, 1995).
	084	• <u>Federal Register, Notices</u> , Vol. 59, No. 248, Wednesday, December 28, 1994, 66982-66985.
	085	• Cochran, Thomas N., "The Striking Price."
	086	• Capital Market Fund, Inc. Annual Report, October 31, 1994, pp. 1-16.
	087	• Prospectus: The SuperTrust™ Trust for Capital Market Fund, Inc. Shares, February 28, 1995.
	088	• Prospectus: Capital Market Fund, Inc., February 28, 1995.
	089	• The SuperTrust™ Trust for Capital Market Fund, Inc. Shares, Annual Report, October 31, 1994.
	090	• Capital Market Fund, Inc., Annual Report, October 31, 1994.
	091	• SCC SuperUnits™, Proposed Specifications, American Stock Exchange, March 16, 1992.
	092	• "Equity Derivatives - Applications in Corporate Finance and Fund Management," CIBC Wood Gundy School of Financial Products.
	093	• MidCap SPDR Trust, Series 1 and PDR Services Corporation, Amendment No. 1 to Application for Orders under section 6(c) of the Investment Company Act of 1940 exempting the MidCap SPDR Trust, Series 1 and PDR Services Corporation, as Sponsor, from the provisions of sections 4(2), 14(a), 17(a)(1), 17(a)(2), 22(d), 22(e), 24(d) and 26(a)(2)(C) of said Act and from rule 22c-1 promulgated thereunder, under section 17(b) exempting the Sponsor and the Trust from the provisions of sections 17(a)(1) and 17(a)(2) of said Act and under rule 17d-1 granting relief from the provisions of section 17(d) and rule 17d-1 (January 13, 1994).
	094	• SEC Docket, Volume 58, No. 20, pp. 2765-2772 (March 24, 1995).
	095	• In the Matter of MidCap SPDR Trust, Series 1, File No. 1-13730, Order Declaring Registration Effective Pursuant to Section 12(d) of the Securities Exchange Act of 1934, as Amended, U.S. Securities and Exchange Commission, April 27, 1995.
	096	• In the Matter of PDR Services Corporation, Sponsor of MidCap SPDR Trust, Series 1, Order Pursuant to Section 8(a) of the Securities Act of 1933 as Amended, Declaring the Registration Statement Effective, U.S. Securities and Exchange Commission, April 27, 1995.
	097	• Brochure: Standard & Poor's MidCap 400 Depositary Receipts, Product Description, PDR Services Corporation, 1995.
	098	• <u>Federal Register, Notices</u> , Vol. 60, No. 62, Friday, March 31, 1995, 16686-16690.
	099	• Brochure: Standard & Poor's MidCap 400 Depositary Receipts™, 400 Stocks, One Easy Investment, PDR Services, 1995.
	100	• American Stock Exchange Home Page; The American Stock Exchange, 1995.
	101	• American Stock Exchange News Release, April 27, 1995, "MidCap 400 'Spiders' to Spin Their Own Web at the AMEX".
	102	• Expert Report of C. Michael Carty dated April 5, 2002.
<i>↓</i>	103	• Rebuttal Report of C. Michael Carty dated May 10, 2002.

EXAMINER INITIAL	REF	Type the Item, Date, Pages, Volume/Issue Number, Publisher, City and/or Country Where Published
THH	104	• Fifth Amended and Restated Application for Orders under Section 6(c) of the Investment Company Act of 1940 exempting The CountryBaskets™ Index Fund, Inc. and its initial nine Series named herein the Advisor and the Distributor from the provisions of Sections 2(a)(32), 5(a)(1), 17(a)(1), 17(a)(2), 22(d) and 22(e) of said Act, and from Rule 22c-1 promulgated thereunder, and under Section 17(b) from the provisions of Sections 17(a)(1) and 17(a)(2) of the Act, dated June 26, 1995.
	105	• Affidavit of Clifford J. Weber, dated August 30, 2002, filed in American Stock Exchange, LLC vs. Mopex, Inc., Civil Action No. 00 Civ. 5943(SAS)(MHD).
OIP APR 14 2003 PARENTS OF PATENTS RECEIVED JC	106	• Supplemental Affidavit of Clifford J. Weber, dated October 10, 2002, filed in American Stock Exchange, LLC vs. Mopex, Inc., Civil Action No. 00 Civ. 5943(SAS)(MHD).
	107	• Expert Witness Report of Clifford J. Weber, dated April 2, 2002, filed in American Stock Exchange, LLC vs. Mopex, Inc., Civil Action No. 00 Civ. 5943(SAS)(MHD).
	108	• Expert Report of Kathryn B. McGrath, dated April 3, 2002, filed in American Stock Exchange, LLC vs. Mopex, Inc., Civil Action No. 00 Civ. 5943(SAS)(MHD).
	109	• Rebuttal Expert Report of Kathryn B. McGrath, dated May 17, 2002, filed in American Stock Exchange, LLC vs. Mopex, Inc., Civil Action No. 00 Civ. 5943(SAS)(MHD).
	110	• Expert Report of Harry F. Manbeck, Jr., dated April 5, 2002, filed in American Stock Exchange, LLC vs. Mopex, Inc., Civil Action No. 00 Civ. 5943(SAS)(MHD).
	111	• Rebuttal Expert Report of Harry F. Manbeck, Jr., dated May 7, 2002, filed in American Stock Exchange, LLC vs. Mopex, Inc., Civil Action No. 00 Civ. 5943(SAS)(MHD).
	112	• Expert Report of Donald Banner, dated May 14, 2002, filed in American Stock Exchange, LLC vs. Mopex, Inc., Civil Action No. 00 Civ. 5943(SAS)(MHD).
	113	• Expert Witness Report of Gary L. Gastineau, dated March 28, 2002, filed in American Stock Exchange, LLC vs. Mopex, Inc., Civil Action No. 00 Civ. 5943(SAS)(MHD).
	114	• Application for Orders under Section 6(c) of the Investment Company Act of 1940 exempting Foreign Fund, Inc. from the provisions of Sections 2(a)(32), 5(a)(1), 17(a)(1) and 17(a)(2), 22(d) and 22(e) of said Act, and Rule 22c-1 promulgated thereunder, and under Section 17(b) exempting Foreign Fund, Inc. from the provisions of Sections 17(a)(1) and 17(a)(2) of said Act, dated September 15, 1994.
	115	• Amendment No. 2 to the Application for an Order of Exemption Under Section 17(d) of the Investment Company Act of 1940 (The "1940 Act") and Rule 17d-1(a) Thereunder Pursuant to Rule 17d-1(b) Under the 1940 Act, in the matter of Webs Index Fund, Inc. and Barclays Global Fund Advisors, dated March 14, 1997.

EXAMINER	DATE CONSIDERED
THHawam	4/12/06

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-A820  
(also form PTO-1449)

\* A copy of the document listed was previously submitted to the United States Patent and Trademark Office in an Information Disclosure Statement filed March 28, 2003 for U.S. Patent Application No. 09/579,801, filed May 26, 2000. The present application is a continuation of U.S. Application No. 09/579,801, filed May 26, 2000, which is a continuation of U.S. Application No. 09/140,868, filed August 27, 1998, now U.S. Patent No. 6,088,685, which is a continuation of U.S. Application No. 08/542,431, filed October 12, 1995, now U.S. Patent No. 5,806,048.

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